

MAR 25 2008

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

JOHN F. CORCORAN, CLERK
BY: H. McDonald
DEPUTY CLERK

United States of America)

v.)

Gino Darnell Patrick)

Case No: 7:99CR00094-001

USM No: 08262-084

Date of Previous Judgment: March 20, 2000

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 144* months is reduced to 130 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 25Amended Offense Level: 23Criminal History Category: IVCriminal History Category: IVPrevious Guideline Range: 84 to 105 monthsAmended Guideline Range: 70 to 87 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

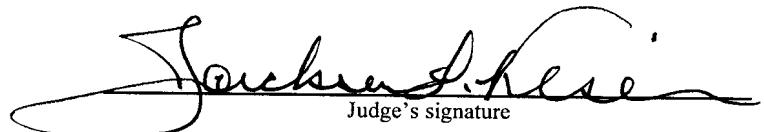
- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

*Defendant's total sentence includes 60 months on the 924(c) count.

Except as provided above, all provisions of the judgment dated 3/20/2000 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3-25-08Effective Date: 3/3/08-4-7-08
(if different from order date)


Jackson Kiser, Senior United States District Judge
Printed name and title